

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:
Bernard National Loan Investors, Ltd.,	:
	:
Plaintiff,	: 08 Civ. 3573(DLC)
	:
-against-	:
	:
Traditions Management, LLC, AEY, LLC, and	: NOTICE OF MOTION
Michael Aiken,	:
	:
Defendants.	:
	:
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PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, dated July 29, 2008, the Declaration of C. William Phillips dated July 29, 2008 and the exhibit thereto, the Amended Complaint, and all prior pleadings and proceedings herein, defendants Traditions Management, LLC, AEY, LCC, and Michael Aiken will move this Court, before the Honorable Denise L. Cote, at the United States Courthouse, 500 Pearl Street, New York, New York as soon as counsel may be heard, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing Counts I, III, IV and V of Plaintiff's Amended Complaint for failure to state a claim on which relief may be granted, and for such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 6.1(b)(2) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, answering papers, if any, must be served on the undersigned counsel within 10 business days.

Dated: New York, New York
July 29, 2008

Respectfully submitted,

COVINGTON & BURLING LLP

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